

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION

Reference No:	2024/44/91657/W
Site Address:	former, Stile Common Infant & Nursery School, Plane Street, Newsome, Huddersfield, HD4 6DF
Description:	Discharge of condition 5 (road network survey) of previous permission 2020/92067 for erection of 30 dwellings
Recommending Officer:	Nick Hirst

DECISION – Discharge of Condition – Approve

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Victor Grayson

AUTHORISED OFFICER

Date: 21/08/2024

Application: 2024/44/91657/W

Site: former, Stile Common Infant & Nursery School, Plane Street, Newsome, Huddersfield, HD4 6DF

Proposal: Discharge of condition 5 (road network survey) of previous permission 2020/92067 for erection of 30 dwellings

Assessment

Condition 5 (road network survey)

5. Prior to development commencing, a survey of the condition of the surrounding road network shall be submitted to, and approved in writing by, the Local Planning Authority. Within one month of the development's completion (completion of the final approved building on the site) a further condition survey shall be carried out and submitted to the Local Planning Authority together with a schedule of remedial works to rectify damage to the highway identified between the two surveys. The approved mitigation works shall be fully implemented prior to final occupation of the development. In the event that a defect is identified during other routine inspections of the highway that is considered to be a danger to the public it must be immediately made safe and repaired within 24 hours from the applicant being notified by the Local planning Authority.

Reason: *Traffic associated with the carrying out of the development may have a deleterious effect on the condition of the highway that could compromise the free and safe use of the highway, to ensure the safe and efficient operation of the highway in accordance with Policy LP21 of the Kirklees Local Plan.*

This is a pre-commencement condition given the need to undertake a baseline assessment.

The condition is multi-phased, and initially requires a pre-commencement survey of the nearby road network. This is to identify the baseline state of the network prior to construction traffic accessing the site. This is followed by a requirement for a post-completion (within one month) survey to identify any damage by construction activities (e.g., HGV movement), or other routine inspections identify evident issues.

This submission relates to the pre-commencement survey only.

The survey covers Plane Street and the junction to Stile Common Road. As these are the roads to be most trafficked in association with the development, this extent of survey is considered acceptable. The survey comprises comprehensive photo evidence, with explanatory text, regarding the current state of the highway. Overall, it establishes a clear and definitive baseline for the state of the highway.

The submitted details are acceptable and are recommended for approval. Given the ongoing requirements of the condition, it may not be fully discharged at this stage. A reminder of the condition's ongoing requirements is recommended to be included on the decision notice.

Recommendation: Approve details.

Report Dated: 20/08/2024.

Proposed Letter Text

Condition 5 (road network survey)

You have submitted the document titled 'Plane Street – Highway Dilapidation Survey', dated 10/06/2024, pursuant to condition 5.

I can confirm that the submitted details are acceptable for the initial requirements of condition 5.

Notwithstanding the above, you are reminded that condition 5 is a multi-phased condition with ongoing requirements that must be adhered to, to ensure ongoing compliance. These requirements are repeated below:

Within one month of the development's completion (completion of the final approved building on the site) a further condition survey shall be carried out and submitted to the Local Planning Authority together with a schedule of remedial works to rectify damage to the highway identified between the two surveys. The approved mitigation works shall be fully implemented prior to final occupation of the development. In the event that a defect is identified during other routine inspections of the highway that is considered to be a danger to the public it must be immediately made safe and repaired within 24 hours from the applicant being notified by the Local planning Authority.